



# INFORMATION BULLETIN

## ABANDONED VEHICLE ABATEMENT PROGRAM CLARIFICATION

Commercial Vehicle Section has received numerous requests for clarification on the abatement of abandoned vehicles in accordance with Section 22710 of the California Vehicle Code (VC) and the Abandoned Vehicle Abatement (AVA) Program.

Section 22710(f) VC provides a definition of an abandoned vehicle abatement. As defined, a vehicle marked as abandoned, by a member of a participating Service Authority, which is voluntarily moved or relocated by the property owner or registered owner of the vehicle qualifies as abatement. Subsequently, it is the responsibility of the Service Authorities to supervise their AVA Program to ensure the participating jurisdictions are not arbitrarily marking vehicles for abatement which do not qualify in order to artificially inflate their AVA Program count.

A vehicle removed for the following reasons shall not qualify as an abated abandoned vehicle pursuant to the AVA Program:

- A vehicle cited for a 72-hour parking violation pursuant to Section 22651(k) VC.
- A vehicle cited for expired registration longer than six months pursuant to Section 22651(o) VC.

Section 22710(c) VC restricts the money received by a Service Authority, pursuant to Section 9250.7 VC, to be used only for the **abatement**, **removal**, and **disposal** of any abandoned, wrecked, dismantled, or inoperative vehicle or part from public or private property when the vehicle is deemed a public nuisance. Assignment of a vehicle to the AVA Program occurs only under one of the following circumstances:

- The abandoned vehicle is located on **public** or **private property** and issued a 10-day notice of intention to abate pursuant to Section 22661(d) VC and is removed after the 10-day period has elapsed.

- The vehicle is parked, resting, or otherwise immobilized **on any highway or public right-of-way** and lacks an engine, transmission, wheels, tires, or any other part or equipment necessary to operate safely on the highway pursuant to Section 22669(d) VC.
- The vehicle is located upon a **parcel zoned for agricultural use or not improved with a residential structure containing one or more dwelling units**, and is inoperable due to the absence of a motor, transmission, or wheels and incapable of being towed. Additionally, the vehicle must be valued at less than two hundred dollars by a person specified in 22855 VC, and is determined by the local agency to be a public nuisance, presenting an immediate threat to public health and safety, provided the property owner has signed a release authorizing removal and waiving further interest in the vehicle.

Any questions concerning this Information Bulletin may be directed to Commercial Vehicle Section at (916) 445-1865.

#### ENFORCEMENT SERVICES DIVISION

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